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JOSEPH C. FRAULOB – CA State Bar #194355
Attorney For Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONALD JAY PAANA, SR
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case No.: 2:21-CV-00505-DMC (SS)

**STIPULATION FOR AWARD OF EAJA
ATTORNEY FEES**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that Plaintiff be awarded attorney fees in the amount of four thousand, three hundred and twenty-nine dollars and fifteen cents (\$4,329.15) under the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), and costs in the amount of four hundred and two dollars (\$402.00) under 28 U.S.C. 1920. This amount represents compensation for legal services rendered on behalf of Plaintiff by his counsel in connection with this civil action, in accordance with 28 U.S.C. 1920, 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's counsel. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the

1 Treasury's Offset Program. After the order to EAJA fees is entered, the government will
2 determine if it is subject to any offset.

3 Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury
4 determines that Plaintiff does not owe a federal debt, then the government shall cause the
5 payment of fees to be made directly to Plaintiff's counsel Joseph Fraulob, pursuant to the
6 written assignment executed by Plaintiff. Any and all payments shall be delivered to Plaintiff's
7 counsel Joseph Fraulob.

8 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
9 attorney fees and does not constitute an admission of liability on the part of Defendant under the
10 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
11 bar to, any and all claims that Plaintiff and/or Plaintiff's counsel, including the Law Offices of
12 Hadley & Fraulob, may have relating to EAJA attorney fees and/or costs in connection with this
13 action.

14 DATE: May 23, 2023

15 *By /s/ Joseph Fraulob*
16 JOSEPH FRAULOB
Attorney for plaintiff

17
18 DATE: May 23, 2023

19 PHILLIP A. TALBERT
United States Attorney

20 *By /s/ Edmund Darcher*

21 (As authorized via email)

22 EDMUND DARCHER
23 Special Assistant United States Attorney

24 ORDER

25 APPROVED AND SO ORDERED

26 **Dated: June 5, 2023**

27 
28 DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE